

TROY UNIVERSITY
Term 2, AY 2012-2013

IR 5552: INTERNATIONAL LAW
Weekend Format

INSTRUCTOR: **Sungjin Kang, Esq.**
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CONSULTATION: By telephone, e-mail, or by mutually convenient appointment

COURSE DESCRIPTION: Examination of the sources and development of international law from historical, political, legal, and philosophical standpoints, with emphasis on substantive areas of the law.

OVERALL OBJECTIVE: To familiarize the student with the part played by international law within the international political system of sovereign nation-states, as well as the impact that international law can have on the lives of individuals. This is not a law school course; the main focus will not be on the legal analysis of court cases, but rather on the role of international law within the system of international politics.

SPECIFIC OBJECTIVES: Upon completion of this course, the student should have:

1. Familiarity with the basic sources of international law;
2. An understanding of the overarching legal framework of the international system;
3. An appreciation of the many ways in which international law affects individual persons, to include such key areas as citizenship, nationality, rights of aliens, extradition, political asylum, international criminal law, and human rights law;
4. A basic grasp of international territorial law as it applies to land, sea, air, and outer space;
5. An understanding of how international law has shaped diplomatic relations and the treaty-making process between and among nation-states;
6. An appreciation of the role of international law in the resolution of disputes, whether peaceful, coercive, or involving military force;
7. Improved analytical and research skills; and
8. Improved oral and written communications skills.

COURSE REQUIREMENTS: Mid-Term Paper: 30%
 Final Exam: 40%
 Research Paper: 30 %

METHODS OF INSTRUCTION: Lectures, class discussion, analytical exams, research paper. The instructor will circulate handouts for each chapter in the beginning of each week. Students are required to study and prepare discussions at the class meetings.

First meeting: In the beginning of the term, the instructor plans to organize a 1-hour meeting to discuss the logistics of the class. The instructor will circulate a notice before start of the term.

Classroom participation: Students' classroom participation and discussion will be considered as a key part of the class. The instructor will circulate 1 - 2 mini review questions at the end of each week from week 1 to week 3 and from week 5 to week 7. Students are to turn in their answers to the review questions by **7PM of each Saturday to the instructor's Email address**. The length of your answers will be up to 2 paragraphs per each review question. On the day of classroom meetings, students are encouraged to engage in an active discussion for evaluation of classroom participation.

Classroom meetings: The instructor will give brief presentation of each chapter in the beginning of each session and continue with discussions with the students based on their independent studies before the classroom meetings.

Exams: Exams are **Open Book Exams**.

Mid-term and Final Exams: The exam questions are hypothetical cases and you don't have to write too long. (2 - 3 pages per each question) However, please try your best to make your answers look as much like as law school answers. The instructor will circulate model law school exams and answers to familiarize the format. The papers will be graded primarily based on the number of possible legal issues the students spotted. Please also make sure to write **legibly by hand**.

Research paper: Students must research and write a graduate-level paper of **15 to 20 pages, double-spaced with Times New Roman fonts (12 point)**. The PUBLICATIONS MANUAL OF THE AMERICAN PSYCHOLOGICAL ASSOCIATION is the TROY UNIVERSITY style guide for format and citations. The instructor will discuss and assign research topics by the end of the second week of the class via Email, phone or in person. No duplicate topics will be permitted. The completed paper is due by **November 24**. Late papers are subject to point deductions, by 1 point per a day.

Presentation of the Research Paper: Students will have a chance to make brief presentations of their research papers on November 18 in the morning session. Students will be required to make 10-minute presentation with 5-minute Q&A time. Any presentation exceeding 10-minute time limit will be subject to grade deduction by 0.5 points per a minute. Please prepare your presentation on **November 18**. However, students are not required to make PPT slides for the presentation, while the instructor will prepare necessary arrangements (computer and projector).

Grade percentage:

- Mid-term exam: 20 points
- Research paper: 20 points
- Presentation of the research paper: 5 points
- Classroom participation/discussion: 10 points
- Final Exam: 45 points

GRADE SCALE:	A:	90-100
	B:	80-89
	C:	70-79
	D:	60-69
	F:	0-59

TEXT:

Required Reading:

- 1) Textbook:
 - Martin Dixon, *International Law*, 6th Ed., Oxford University Press (2007), ISBN: 978-0199208180 / 0199208182
- 2) Treaties: The Instructor will distribute important treaties via Email.

Optional Materials:

- 1) William Slomanson, *Fundamental Perspectives on International Law* 6th Ed., Wadsworth Cengage Learning (2011), ISBN: 978-0495792734 / 0495792735
- 2) Magazines: You can read *Foreign Affairs*, *Foreign Policy*, and/or other magazines covering international issues

LIBRARY RESOURCES: LIBRARY SUPPORT:

Students can access online resources through the Troy University web site at www.troy.edu or www.library.troy.edu. These resources include a variety of text data bases that give complete articles from many journals, magazines and newspapers. The MSIR Journal List, for instance, has over ninety publications, including *Foreign Affairs* and *World Politics*. Access to all of the data bases is through “remote services,” the university’s remote patron authentication system, which involves a three-step process (log on, select a service, and select an individual data base). The main full text

information services are EBSCOhost, FirstSearch, InfoTrac and ProQuest. Tutorials and overviews are available on the library home page

AMERICANS WITH DISABILITIES ACT: Troy University supports Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, which insure that post-secondary students with disabilities have equal access to all academic programs, physical access to all buildings, facilities and events, and are not discriminated against on the basis of disability. Eligible students, with appropriate documentation, will be provided equal opportunity to demonstrate their academic skills and potential through the provision of academic adaptations and reasonable accommodations. Further information, including appropriate contact information, can be found at the following link:

<http://www.troy.edu/humanresources/ADAPolicy2003.htm>

ACADEMIC ETHICS: See the PUBLICATIONS MANUAL OF THE AMERICAN PSYCHOLOGICAL ASSOCIATION for ethical standards of reporting information. Also consult the Troy University “Standards of Conduct” published in the GRADUATE CATALOG.

By their enrollment, students are responsible for following the “Standards of Conduct” as they apply in the Troy University Pacific Region. Students may be disciplined up to and including suspension and expulsion for the commission of offenses in described in the Graduate Bulletin. As a reminder to graduate students, the “Standards of Conduct” regards dishonesty as an offense, which includes cheating and plagiarism. Students should carefully study the definitions of cheating and plagiarism:

1. Cheating includes:

- a) Copying, or relying upon, another student’s answers or submitting another student’s work as one’s own or submitting as new work assignments previously completed for another class, while completing any class assignment, study group assignment, or during in-class or take-home examinations.
- b) Providing one’s own answers to another student while completing any class assignment, study group assignment (except where approved by the instructor due to the nature of the assignment itself), or during in-class or take-home examinations.
- c) Using notes, books, or any other unauthorized aids during an examination; or holding an unauthorized discussion of answers during in-class examinations.

2. Plagiarism is submitting a paper, other required student course requirement in which the language, ideas, or thoughts are identical to published or unpublished material from another source, including material found on the Internet, without correctly giving credit to that source.

While computers and the Internet allow students to cut and paste work from other material, new software is making it easier for universities detect plagiarism. Instructors may screen electronic versions of student assignments using the detection software.

CLASS SCHEDULE

READING: Martin Dixon, Chapters 1 through 12

Week 1 15 Oct – 21 Oct

Chapter 1: The nature of international law and the international law system

Chapter 2: The sources of international law (AM)

Chapter 3: The law of treaties

Week 2 Weekend 27/28 Oct: Classroom Meeting

Chapter 4: International law and national law

Chapter 5: Personality, statehood and recognition

Chapter 6: Jurisdiction and sovereignty

Classes are from 0900 to 1700 – (1-hour lunch break) Saturday and Sunday

Oct. 27

AM Session: Discussions on Chapters 1 - 2(AM)

PM Session: Discussions on Chapters 3 - 4 (PM)

Oct. 28

Discussions on Chapters 5 - 6 (AM)

Mid-term Exam (PM)

Deadline to choose Research Paper topic

Week 3 29 Oct - 4 Nov

Chapter 7: Immunities from national jurisdiction

Chapter 8: Law of the Sea

Week 4 5 Nov - 11 Nov

Chapter 9: State Responsibility

Chapter 10: Peaceful Settlement of Disputes

Week 5 Weekend 17/18 Nov: Classroom Meeting

Chapter 11: Use of Force and Humanitarian Law

Chapter 12: Human rights

Classes are from 0900 to 1700 – (1-hour lunch break) Saturday and Sunday

Nov. 17

Discussions on Chapters 7 – 8 (AM)

Discussions on Chapters 9 – 11 (PM)

Nov. 18

Discussions on Chapter 12 / Presentation of the Research papers (AM)

Final Exam (PM)

Week 6 Nov. 19 - Nov. 24: Submission of the research paper (Deadline Nov. 24)